

EXHIBIT M

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION**

Storage Cap Management LP,

Plaintiff,

v.

**Robarco, Inc. and SpareSpace Storage,
LLC,**

Defendants.

Case No: 19-4328

EXPERT REPORT OF SARAH BUTLER

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In connection with

Storage Cap Management LP vs.

Robarco, Inc. and SpareSpace Storage, LLC

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I. QUALIFICATIONS

1. I am a Managing Director at NERA Economic Consulting (“NERA”), where I am the Chair of the Survey and Sampling Practice and a member of the Intellectual Property and Antitrust Practices. My business address is 4 Embarcadero Center, San Francisco, CA 94111. NERA is a firm providing expert statistical, survey, economic, and financial research analysis.

2. Among my responsibilities, I conduct survey research, market research, and sampling analysis on a wide range of topics regarding business and consumer decision making, consumer perceptions, and consumer behavior. In the course of my career, I have conducted research for leading corporations and government agencies on consumers, employees, and businesses. My work has been included in numerous lawsuits involving issues of trademark and trade dress confusion, secondary meaning, and false advertising, as well as in antitrust and employment-related litigation. I am a member of the American Association of Public Opinion Research, the American Statistical Society, the Intellectual Property Section of the American Bar Association, and the International Trademark Association (INTA).

3. I have also worked as a market researcher conducting surveys and other forms of research, including personally conducting focus groups and in-depth interviews with consumers and professionals. I have worked as an independent consultant conducting research for the Department of Environment and Rural Affairs in the United Kingdom. I have taught courses focused on or involving research methodologies in both the United States and Europe. I hold a Master’s Degree from Trinity College, Dublin and another Master’s Degree from Temple University.

4. I have substantial experience conducting and using surveys to measure consumer opinions and behaviors regarding products and services including brand awareness, purchase

processes, product attributes, market segmentation, new product research, and advertising strategies. During my career in academic and commercial research, I have personally facilitated a wide range of research including surveys, focus groups, and in-depth interviews.

5. I have submitted expert reports, been deposed, and have testified at trial within the last five years. A list of my testimony is included on the copy of my current resume, which is attached as **Exhibit A**.


6. NERA is being compensated for my services in this matter at my standard rate of \$700 per hour. Members of the staff at NERA have worked at my direction to assist me in this engagement. No part of my compensation or NERA's compensation depends on the outcome of this litigation. Throughout this report, I have used the terms "I" and "my" to refer to work performed by me and/or others under my direction.

II. DOCUMENTS REVIEWED

7. As part of my work, I reviewed the Complaint in this matter and other materials.¹ A list of the specific materials I reviewed can be found in **Exhibit B**.

III. ASSIGNMENT AND SUMMARY OF OPINIONS

8. I was asked to design and conduct a test to evaluate whether consumers would be confused by Plaintiff Storage Cap Management's use of STORE SPACE and

STORE  SPACE (together "Store Space marks"), and whether such use would cause consumers to mistakenly associate Store Space with SpareSpace Storage, LLC ("SSL" or

¹ Complaint, *Storage Cap Management LP vs. Robarco, Inc. and SpareSpace Storage, LLC*, In the United States District Court for the Southern District of Ohio Eastern Division, Case No.: 19-4328, dated September 27, 2019 (hereinafter "*Complaint*").

“Defendant”) as a result. I conducted a survey of 413 consumers who have in the last 12 months or plan in the next 12 months to rent space in a self-storage facility. Once qualified, respondents were randomly assigned to Study 1 or Study 2. In Study 1, respondents were first shown the SpareSpace webpage (<https://www.sparespace.com/>). I understand this website is primarily advertising a single location in Florida and for the remainder of this report will be called SpareSpace FL. After reviewing this page, respondents were shown an array of images from four other self-storage companies, including Store Space, and were asked if any of these companies were the same as, affiliated with, or were licensed by the storage company they were shown first, i.e., SpareSpace, FL. Study 2 used the same methodology, but first showed respondents the SpareSpace webpage for a Grove City, OH location (<https://www.sparespacestoragegc.com/>) (hereinafter “SpareSpace OH”).

9. Both studies included a Control Group in which respondents were shown the same set of webpages but, the Store Space marks were changed to “More Space.” The inclusion of a Control Group allows me to measure the extent to which any associations between the SpareSpace and Store Space webpages are the result of guessing or other elements of the pages unrelated to the marks at issue (for example the colors of the pages, the font, the photos, etc.).

10. As a part of my surveys, I also collected data on what attributes are important to consumers in searching for and renting self-storage space.

11. Based on my surveys, I conclude the following:

- Few current or future renters select a storage facility based on its name or brand.

Respondents were far more likely to select a facility based on price, location, the size of the space, cleanliness, and/or security. In fact, the name or brand of the facility was the

second to least important of eleven reasons, only more important than the color of the storage unit doors.


- In Study 1, a net total of 7.4% of respondents indicated that Store Space was the same company, was associated or affiliated with, and/or was licensed or approved by SpareSpace FL. In the Test Group, 22.7% of respondents had some association between SpareSpace and Store Space and 15.3% in the Control Group associated More Space with SpareSpace. In the Test Group, respondents were more likely to associate Public Storage (30.9%) and Cube Smart (31.8%) with SpareSpace than they were to associate Store Space with SpareSpace.
- In Study 2, only a net of 0.4% of respondents associated Store Space with SpareSpace OH. In the Test Group, 26.5% of respondents indicated that they believed Store Space was the same company, was affiliated/associated, and/or was licensed/approved by SpareSpace OH. In the Control Group, i.e., the Group shown the same Store Space page with the name More Space, the comparable proportion was 26.2%. In Study 2, the rates of selecting other companies in the Test Group were comparable to the rate of respondents selecting Store Space.

12. These results demonstrate that consumers do not associate or believe that Store Space is the same company as, affiliated or associated with, or licensed or approved by SpareSpace and establish that there is no likelihood of confusion.

13. The remainder of this report discusses my research and findings in detail.

IV. BACKGROUND

14. Plaintiff, Storage Cap Management LP, is a limited partnership organized under the laws of Nevada, with its place of business at 9480 South Eastern Ave., Suite 251, Las Vegas, Nevada 89123.² I understand that Storage Cap provides storage-unit rental services and operates self-storage facilities in a number of states across the country, including, but not limited to: Florida, Georgia, Indiana, New Jersey, Pennsylvania, Texas, Missouri, and Virginia.³

15. I understand that Plaintiff has operated its businesses as Store Space since at least April 23, 2018 and owns two federal trademark applications for STORE SPACE and  SPACE. These applications were approved and published for opposition on May 14, 2019.⁴

16. I understand that SpareSpace Storage, LLC (“SSL” or “Defendant”) is a Florida limited liability company with its principal place of business at 650 N.W. 30th Street, Miami, Florida.⁵ Robarco, Inc. is an Ohio corporation located at 1788 Killdeer Dr., Grove City, Ohio 43123. I understand that SSL claims ownership of SPARESPACE STORAGE based on Robarco’s use of SPARE SPACE STORAGE in Ohio.⁶

² *Complaint*, ¶2.

³ *Complaint*, ¶10.

⁴ *Complaint*, ¶¶11-12.

⁵ Defendant SpareSpace Storage, LLC’s Answer to Complaint and Counterclaim Answer and Affirmative Defenses, *Storage Cap Management LP vs. Robarco, Inc. and SpareSpace Storage, LLC*, In the United States District Court for the Southern District of Ohio Eastern Division, Case No.: 19-4328, dated December 14, 2020, ¶3 (hereinafter “*Counterclaims*”).

⁶ *Complaint*, ¶8.

17. On June 13, 2019, Defendant filed Notices of Opposition with the Trademark Trial and Appeal Board (“TTAB”) of the USPTO opposing registration of Plaintiff’s STORE SPACE Marks.⁷

18. In response to Defendant’s opposition, and Defendant’s instruction to Plaintiff to refrain from using its STORE SPACE marks, Plaintiff filed a Complaint for Declaratory Judgment of No Likelihood of Confusion and for Priority in Trademark Rights on September 27, 2019.

19. I understand that Defendant alleges in its Counterclaims that “SpareSpace Storage’s services will be offered to a similar class of consumers who purchase the services in connection with which Storage Cap uses its Asserted Marks, and will be offered through the same channels of trade,”⁸ and further that, the STORE SPACE marks are “likely to cause confusion, mistake, and deception as to an affiliation, connection, or association between SpareSpace Storage and Storage Cap, or as to the sponsorship or approval of Storage Cap’s services and other commercial activities by SpareSpace Storage.”⁹

20. I was asked by counsel for Plaintiff to evaluate the extent to which, if at all, consumers would confuse Store Space with Defendant. To evaluate the potential for consumer confusion, I conducted a survey.

⁷ *Complaint*, ¶14.

⁸ *Counterclaims*, ¶12.

⁹ *Counterclaims*, ¶13.

V. SURVEY METHODOLOGY

21. The design of my research survey follows the generally accepted principles for the design of a survey to be used in litigation.¹⁰ In general, the design of a reliable survey requires careful attention to the following key areas:

- The definition of the relevant population;
- The procedures for sampling from the relevant population;
- The survey questions used;
- The stimuli shown to respondents; and
- The protocol for calculating the results from the survey.¹¹

22. The discussion of the survey I conducted is organized around each of the key areas.

A. Population

23. For my survey, the relevant population is adults 18 years or older, who reside in the United States. While Store Space has locations across the United States, I understand that Defendant has only one facility located in Miami, Florida, and SpareSpace's licensee, Robarco, has one facility in Grove City, Ohio. Therefore, to ensure that my survey reflects the population of individuals who could have potentially encountered or use a SpareSpace facility, I oversampled adults who live in zip codes within a 50-mile radius of the zip codes where SpareSpace's and

¹⁰ See, e.g., Diamond, S. S. (2011). "Reference Guide on Survey Research," *Reference Manual on Scientific Evidence*, Committee on the Development of the Third Edition of the Reference Manual on Scientific Evidence; Federal Judicial Center; National Research Council, pp. 361-423 (hereinafter "*Diamond*").

¹¹ The Federal Judicial Center's (2004) *Manual for Complex Litigation, Fourth Edition*, §11.493, p. 103 phrases these key areas as such:

- the population was properly chosen and defined;
- the sample chosen was representative of that population;
- the data gathered were accurately reported; and
- the data were analyzed in accordance with accepted statistical principles.

Robarco's storage facilities are located in Miami and Central Ohio.¹² The appropriate population also includes those who have either rented in the past 12 months or, are likely to rent in the next 12 months, space in a self-storage facility.

B. Sampling of the Relevant Population

24. Potential survey respondents were contacted using an internet panel hosted by Veridata, an online panel and data collection services company.¹³ Veridata uses a variety of quality control measures to ensure the reliability and integrity of the responses it receives. For example, Veridata uses digital fingerprinting that creates a "fingerprint" for each respondent based on computer characteristics such as IP addresses, which can then be used to identify respondents and to exclude individuals who attempt to take the same survey more than once. Veridata complies with the standards and ethics for online survey data panels set forth by the Insights Association.¹⁴ Veridata's standard quality control measures were applied in this study.

25. Data for the survey were collected between March 27, 2021, and April 14, 2021. Potential survey respondents were randomly selected and were sent a generic invitation to participate in the survey. Potential respondents were unaware of the purpose or topic of the survey and needed to meet the screening criteria outlined below in order to qualify for the survey.

26. A total of 413 respondents qualified for and completed the survey. See **Exhibit C** for the survey invitation. The complete questionnaire, including screenshots of the survey as it appeared to respondents, is provided in **Exhibit D**.

¹² Based on locations listed on websites: www.spacespacestoragegc.com and www.spacespace.com/about-spacespace-storage-in-wynwood-area/.

¹³ Additional information about Veridata Insights is available on their website at <https://www.veridatainsights.com/>, last accessed May 3, 2021.

¹⁴ The Insights Association is an organization representing the industry and profession of market research and analytics (<https://www.insightsassociation.org/about>, last accessed May 3, 2021).

C. Quality Control Measures for the Survey

27. To ensure that my data are of the highest quality, I implemented quality control measures in addition to those undertaken by Veridata:

- a. The survey was conducted in a “double-blind” fashion; that is, neither the staff at Veridata nor any of the respondents were aware of the survey’s sponsor or the ultimate intention of the survey.¹⁵
- b. Respondents had to correctly answer a Google ReCaptcha question to ensure that a person, and not a computer or “bot,” was taking the survey.¹⁶
- c. Each of the respondents was required to enter his or her gender and age at the outset of the survey, and if these data conflicted with the respondent information on file with Veridata, the respondent was excluded.
- d. Respondents who indicated that they did not understand or were unwilling to adhere to the survey instructions were also screened out of the survey.
- e. The survey was tested, and the initial results were reviewed to ensure that there were no errors in the programming.

D. Questionnaire

28. To ensure that the respondents were part of the relevant population of consumers, a series of screening questions was asked.¹⁷ First, potential respondents were asked their age and gender. Respondents who provided an age below 18 were screened out.

¹⁵ *Diamond*, pp. 410-411.

¹⁶ Google ReCaptcha uses advanced software to tell humans and bots apart. For a description of the technology, see <https://developers.google.com/recaptcha/>, accessed February 26, 2021.

¹⁷ The questionnaire and screenshots of the survey as it appeared to respondents can be found in **Exhibit D**.

29. All respondents were asked for the state where they currently reside and their zip code. Respondents who provided a zip code that did not match the state previously selected were screened out. Next respondents were provided a list of topics and asked if they had taken a survey on any of the topics in the past three months. Those who indicated that they had taken a survey on storage facilities and/or moving supplies were screened out. Respondents were then asked an industry screener. Respondents were screened out if they indicated that they or a member of their household works for a market research or advertising company, a storage facility, and/or a moving/moving supply company. In addition, respondents who indicated that they did not know were also screened out.

30. Respondents were then asked a question about the types of activities they had engaged in during the past 12 months. They were also provided the option to say they had engaged in “None” of the specific activities listed. The list of activities included the following: rented space in a self-storage facility, hired a moving company, rented a car/truck/van, hired professional cleaners, rented party supplies, and hired a realtor. If respondents selected “rented space in a self-storage facility,” they were then provided an open-ended question that asked what features or characteristics caused them to choose the facility that they rented. Next, they were provided a list of features and asked to choose which features, if any, were reasons they rented a storage unit from said facility. This list included:

- Location of facility
- Cleanliness of facility
- Facility security
- Size of storage space offered
- Price of rental
- No long-term rental commitment required
- Name or brand of facility
- Familiarity of facility
- A discount or special offer

- Color of storage unit doors
- Climate controlled storage units

31. If respondents selected more than one feature, they were asked which one was the most important when selecting a storage facility.

32. If respondents did not indicate they had rented space in a self-storage facility in the last 12 months, they were asked a question about the types of activities they anticipated engaging in over the next 12 months. If respondents selected “rent space in a self-storage facility,” they were then provided an open-ended question that asked what features or characteristics would influence their choice of facility. As with those who had currently rented space, potential renters were provided the list of features and were asked to choose which, if any, would influence their facility selection. If respondents selected more than one feature, they were asked which one is the most important when selecting a storage facility.

33. To qualify, respondents had to have rented space in a self-storage facility in the past 12 months or be likely to rent one in the next 12 months. If respondents indicated that they had not rented space in a self-storage facility in the past 12 months or were not likely to rent space in a self-storage facility in the next 12 months, the survey terminated.

34. All qualified respondents were then taken to the main portion of the questionnaire. At this stage, respondents were randomized to either Study 1, where they were shown the <https://www.sparespace.com/> (SpareSpace FL) or Study 2 where they were shown the SpareSpace webpage of Robarco’s Grove City, OH location (SpareSpace OH), which operates under a similar name, Spare Space Storage (<https://www.sparespacestoragegc.com/>). Prior to viewing the page, respondents were presented with the following set of instructions:

Thank you for participating in today's survey. We are interested in your honest opinions. There are no right or wrong answers. If for any question you don't know the answer or don't have an opinion, you may say so—please do not guess.

Next you will be shown a webpage for a storage facility. Please review the page as you normally would if you were considering renting this facility for storage needs. You can review the page for as long as you would like. There will be a brief delay before you can move forward in the survey. For the remainder of the survey this will be called **WEBPAGE A**.

Please take as much time as you would like to review the webpage on the next screen. Once you are finished looking at the webpage, you may move to the next screen by clicking the "Continue" button.

35. After, indicating that they saw **WEBPAGE A** clearly,¹⁸ respondents were then randomly assigned to one of two groups: the Test Group which consisted of respondents randomly being presented the homepages for Store Space, Public Storage, CubeSmart, and SpareFoot, (hereinafter "**WEBPAGES B-E**") – or the Control Group which saw the same set of images but with modifications to the Store Space image (discussed in greater detail below).

36. Before being presented with these images, respondents were presented with the following additional set of instructions:

Now please look at the following set of webpages. Again, please look at these pages as you normally would if you were considering renting a facility for your storage needs. There will be a brief delay before you can move forward in the survey. You may click on each individual page to enlarge the image. Please take as much time as you would like to review. For the purposes of this survey, these will be called **WEBPAGES B – E**. Once you are finished looking at each page, you may move to the next screen by clicking the "Continue" button.

37. Next respondents were asked if they saw **WEBPAGES B-E** clearly. Those who indicated that they saw these webpages clearly progressed in the survey.¹⁹ For every question

¹⁸ If an individual indicated that she could not see the page, she was screened out.

¹⁹ If an individual indicated that she could not see the page, she was screened out.

moving forward, **WEBPAGES B-E** were placed above the questions. In addition, a link that could be clicked to reveal the full-size version of **WEBPAGE A** was included.

38. After viewing **WEBPAGE A** and **WEBPAGES B-E** respectively, respondents were asked to indicate whether they thought any of the webpages were from the same company or brand of the storage facility that was shown in **WEBPAGE A**. The exact question phrasing was:

Q. Do you think any of the storage companies shown in **WEBPAGES B – E** are the same company/brand of storage facility shown in **WEBPAGE A**, the webpage you saw first?

1. Yes
2. No
3. Don't know / no opinion

39. Respondents who said “yes” were asked to indicate which of the four webpages were from the same company or brand of storage facility. For each of the pages selected, respondents were asked the following open-ended question: “You indicated that the storage company shown in **WEBPAGE [X]** was the same company/brand as that shown in **WEBPAGE A**. What makes you say that?”

40. Respondents were next asked if any of the webpages were associated or affiliated with the company or brand of storage facility shown in **WEBPAGE A**. The exact phrasing of this question was:

Q. Do you think any of the storage companies shown in **WEBPAGES B-E** are associated or affiliated with the company/brand of storage facility shown in **WEBPAGE A**, the webpage you saw first?

1. Yes
2. No
3. Don't know / no opinion

41. Respondents who said “yes” were then asked to indicate which of the four webpages are associated or affiliated with the company or brand of storage facility that was

shown in **WEBPAGE A** and were asked the open-ended follow up question (“You indicated that the storage company [X] is associated or affiliated with the company/brand shown in **WEBPAGE A**. What makes you say that?”).

42. Next, respondents were asked if any of the webpages were licensed by or received approval from the company or brand of storage facility shown in **WEBPAGE A**. The exact phrasing of this question was:

Q. Do you think any of the storage companies shown in **WEBPAGES B-E** are licensed by or received approval from the company/brand of storage facility shown in **WEBPAGE A**, the webpage you saw first?

1. Yes
2. No
3. Don’t know / no opinion

43. Respondents who said “yes” were asked to indicate which of the four webpages were license by or received approval from the company or brand of storage facility shown in **WEBPAGE A** and were asked the follow up question for the each webpage identified “You indicated that the storage company [X] is licensed by or received approval from company/brand shown in **WEBPAGE A**. What makes you say that?”.

44. Following this question, the survey was complete, and respondents were thanked for their time.

E. Stimuli Shown

45. In both the Test and Control groups, respondents were first shown an image of the SpareSpace webpage, referred to as **WEBPAGE A**, shown below. In Study 1, respondents were shown the SpareSpace FL webpage. In Study 2, respondents were shown the SpareSpace OH webpage.

46. I understand that SpareSpace has claimed consumers would be confused and would associate Store Space facilities with its company. I also understand that SpareSpace currently operates only in Miami and Robarco operates only in Grove City, Ohio, and that SpareSpace has not provided any evidence that consumers would see either of those facilities proximately to Store Space.²⁰ To evaluate the potential for *any* possible current or future confusion (i.e. assuming there comes a time when SpareSpace expands and begins operating in markets where Store Space operates) I have shown respondents webpages for SpareSpace/Robarco and Store Space in the same survey. To ensure that respondents were not confused or distracted by the actual geographic locations of the facilities, I removed this information from the pages shown. For examples of the SpareSpace and Robarco webpages shown to consumers, see Figures 1 and 2 below.²¹

²⁰ As of April 21, 2021, Store Space has no locations within 30 miles of Grove City, Ohio or Miami, Florida.

²¹ Full-sized pages of all webpages featured in my survey are included as **Exhibit E**.

Figure 1. WEBPAGE A (Study 1 –SpareSpace FL Webpage)

Our top priority is the safety of our customers and our team! **Contactless rentals** are still available **online** or via phone.

Se Habla Español

Contact Us Now: 800-523-9690

Acces... Cart

HOME CHOOSE YOUR UNIT STORAGE RESOURCES AREAS WE SERVE VIRTUAL TOUR CONTACT US PAY BILL



SpareSpace Storage
Modern Self Storage Units

When looking for storage units you want the best service to protect your items. SpareSpace Storage has space-saving solutions for personal items and business storage needs. From residential and commercial storage units to our premium self storage, our storage facility provides the answers. Let our experts walk you through finding your next storage rental in person or online. Whether you are looking for storage for your business or temperature-controlled storage, our self storage is ready to rent. With the right storage unit, you can get back to handling business, like finding your next home or taking the next steps to improve the organization at your business.

Get the inside look at our storage units with our virtual tour.



Watch on YouTube

Contact-Free Storage Rentals Available



1. Choose a storage unit suitable for your items!



2. Pay for your storage unit and sign the lease online.



3. Easily move your items to storage!

[LEARN MORE](#)



Security Is the Key to a Successful Storage Experience
Let our self storage be the key to moving your home or business! We keep your belongings safe so you can get back to doing what you enjoy. Our 24-hour video recording and on-site store manager keep the property safe. Not sure what storage unit is right for you? Our store manager can guide you through the process of storing your belongings. Give us a call today!



We Are Committed to You!
Not only do we make it easy to rent your next storage unit online, but our storage experts and team make storing a breeze. Contact us at any point of the storage process with any questions. We also have wine storage and refrigerated storage units coming soon. Get started today by reserving your storage unit **online**!

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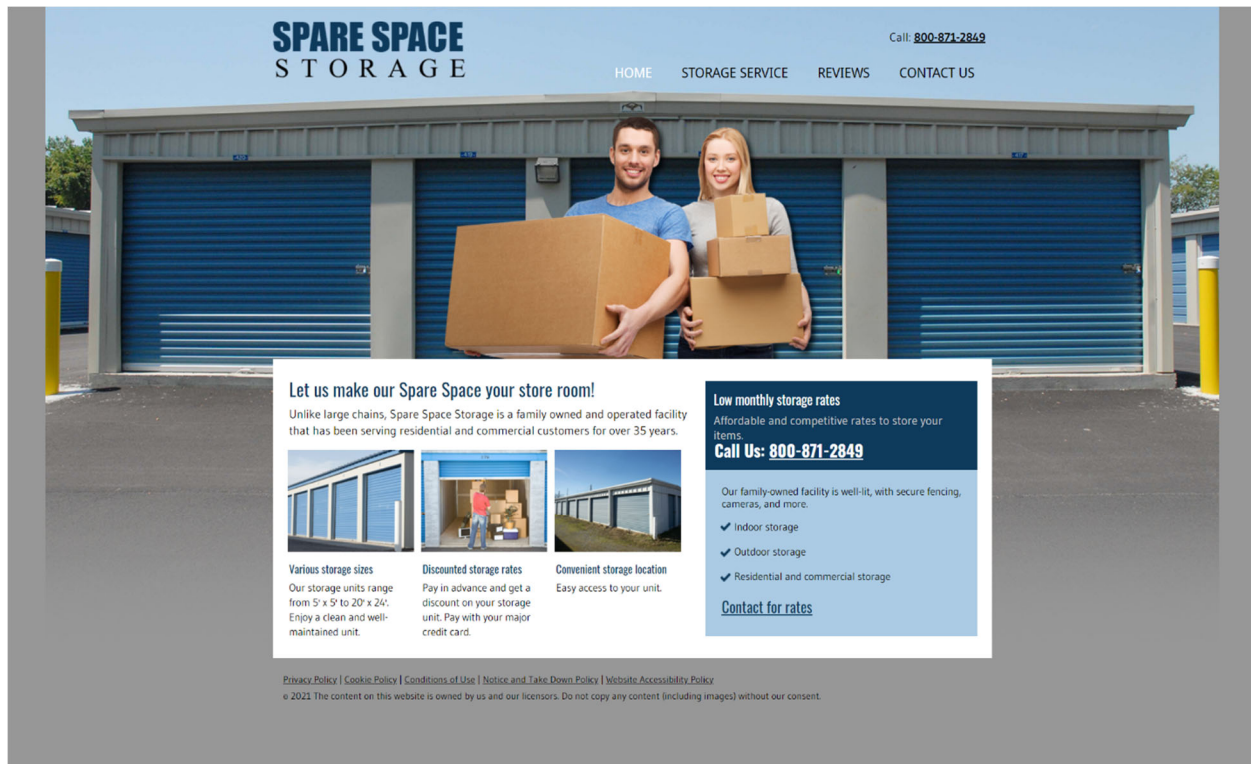
ACCESS HOURS
6:00am-10:00pm, Seven Days/Week

Hours and Locations
Closest Office

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Figure 2. WEBPAGE A (Study 2 – Spare Space OH Webpage)



47. In both Study 1 and Study 2, respondents in the Test Group were shown the Store Space webpage (shown in randomized order along with **WEBPAGES C-E**), also with geographic location details removed. See Figure 3 below.

Figure 3. Test Group WEBPAGE B (Store Space Webpage)

STORE SPACE Find Storage Storage Solutions About Store Space Contact

TOUCHLESS RENTALS

Click or call to skip the counter and go right to your unit.

Get our lowest rates, unbeatable move-in specials and an Amazon.com Gift Card for online or phone rentals.

Find Storage Near You

Address, City & State, or Zip **FIND STORAGE NOW**

Search for available storage using your address, city & state, or zip code

Byron Coley ★★★★★
Good job I would recommend to family

Rent a Storage Unit in 3 Easy Steps

- Find the Nearest Store Space Storage Facility**
Store Space has storage facilities across the United States and most likely we have one located in your neighborhood. Use our **find storage** tool to find a Store Space location near you and view storage units available for rent.
- Pick the Storage Unit That Meets Your Needs**
Find your nearest Store Space self storage facility and choose the perfect size storage unit for your needs. We have a large variety of storage unit sizes; if you need help you can use our online storage unit size calculator.
- Reserve or Rent Your Storage Unit Online**
After selecting the right size storage unit for your needs, you can reserve or rent it online - no credit card required for online reservations. Save even more money when you rent online and expedite the rental process.

Self Storage That Cares

Store Space understands there are many circumstances that call for renting a storage unit. We also appreciate that what you are storing is meaningful, for sentimental or financial reasons. That's why we operate our company with the mission statement "Storage That Cares." We care for your personal belongings as if they were our own, and are committed to provide you with the best storage care experience possible.

We offer a wide variety of storage solutions at Store Space; our properties have the latest state-of-the-art features, amenities and security systems expected at a modern self-storage facility. Our storage options include indoor storage, drive-up storage, climate controlled storage and vehicle storage (auto and RV). At Store Space you'll find the type of storage you need, at a price you can afford.

We provide a wide variety of storage unit sizes to cater to everyone's unique storage needs. Our diverse lineup ensures the perfect size storage for you - you can rent a storage unit as small as a walk-in closet or as large as a three-car garage! We can help you with just a little extra space for seasonal items, or a space large enough for a three-bedroom house; you'll find the perfect size storage unit at your local Store Space self-storage facility.

Search for Storage in Your Area

Address, City & State, or Zip **FIND STORAGE NOW**

Search for available storage using your address, city & state, or zip code

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ACCREDITED BUSINESS

Monthly rates and promotions are subject to change. Online rates are valid only with an online reservation or online rental. Online rates and promotions are valid for new customers only. Other fees, taxes and restrictions may apply. Storage unit sizes advertised are approximate only and the actual storage unit size may vary in shape and/or size. You should inspect the actual storage unit to be rented before signing a rental agreement. Your decision to rent should be based on your inspection of the unit and not the actual unit size. Monthly rental amounts are not based on square footage measurements. Parking space dimensions are assumed accurate. Customer assumes all responsibility for ensuring their vehicle fits within both length and width of parking space. Vehicles falling to fit completely within the dimensions of the space will be towed.

48. A survey designed to measure whether the use of a particular mark causes consumers to be confused as to the source of, affiliation or association, or permissions associated with a brand or company may also inadvertently include the perceptions of respondents that are unrelated to the specific stimuli being tested. Responses that are unrelated to the specific words or marks being tested threaten the validity of the confusion estimates and should be eliminated from the final calculation. To measure the extent to which such responses are affecting the desired estimate, survey researchers typically also measure the perceptions of respondents using a Control stimulus with a separate group of individuals.²²

49. In general, a Control stimulus should share as many characteristics as possible with the Test stimulus, except for the characteristic whose influence is being measured or evaluated.²³ As shown below in Figure 4, respondents in the Control Group were shown the exact same webpage, except that it replaced the words ‘STORE SPACE’ with ‘MORE SPACE’ and replaced the red lock icon between the two words with a similarly-sized red house icon. These changes are highlighted in the yellow box shown below in Figure 4.

²² *Diamond*, pp. 397-401. More specifically, Diamond writes that “[c]ontrol groups and, as a second choice, control questions are the most reliable means for assessing response levels against the baseline level of error associated with a particular question,” p. 401.

²³ *Diamond*, p. 399.

Figure 4. Control Group WEBPAGE B (More Space Webpage)

MORE SPACE Find Storage Storage Solutions About More Space Contact

Find Storage 800-461-7134 Pay Bill

TOUCHLESS RENTALS

Click or call to skip the counter and go right to your unit.

Get our lowest rates, unbeatable move-in specials and an Amazon.com Gift Card for online or phone rentals.

Find Storage Near You

Address, City & State, or Zip

FIND STORAGE NOW

Search for available storage using your address, city & state, or zip code

Byron Coley ★★★★★
Good job I would recommend to family

Rent a Storage Unit in 3 Easy Steps

- Find the Nearest More Space Storage Facility**
More Space has storage facilities across the United States and most likely we have one located in your neighborhood. Use our **find storage** tool to find a More Space location near you and view storage units available for rent.
- Pick the Storage Unit That Meets Your Needs**
Find your nearest More Space self storage facility and choose the perfect size storage unit for your needs. We have a large variety of storage unit sizes; if you need help you can use our online storage unit size calculator.
- Reserve or Rent Your Storage Unit Online**
After selecting the right size storage unit for your needs, you can reserve or rent it online - no credit card required for online reservations. Save even more money when you rent online and expedite the rental process.

Self Storage That Cares

More Space understands there are many circumstances that call for renting a storage unit. We also appreciate that what you are storing is meaningful, for sentimental or financial reasons. That's why we operate our company with the mission statement "Storage That Cares." We care for your personal belongings as if they were our own, and are committed to provide you with the best storage care experience possible.

We offer a wide variety of storage solutions at More Space; our properties have the latest state-of-the-art features, amenities and security systems expected at a modern self-storage facility. Our storage options include indoor storage, drive-up storage, climate controlled storage and vehicle storage (auto and RV). At More Space you'll find the type of storage you need, at a price you can afford.

We provide a wide variety of storage unit sizes to cater to everyone's unique storage needs. Our diverse lineup ensures the perfect size storage for you - you can rent a storage unit as small as a walk-in closet or as large as a three-car garage! We can help you with just a little extra space for seasonal items, or a space large enough for a three-bedroom house; you'll find the perfect size storage unit at your local More Space self-storage facility.

Search for Storage in Your Area

Address, City & State, or Zip

FIND STORAGE NOW

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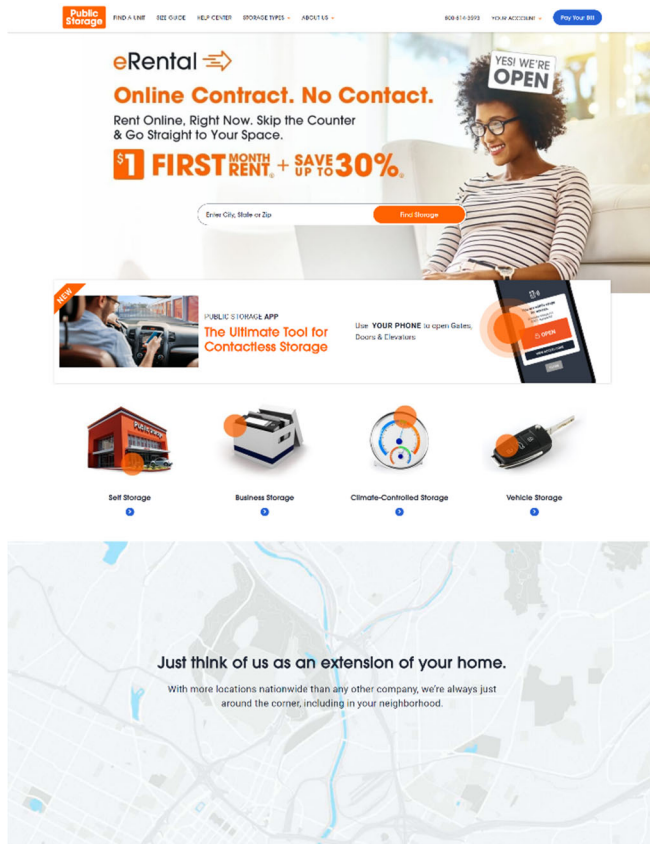
ACCREDITED BUSINESS

Monthly rates and promotions are subject to change. Online rates are valid only with an online reservation or online rental. Online rates and promotions are valid for new customers only. Other fees, taxes and restrictions may apply. Storage unit sizes advertised are approximate only and the actual storage unit size may vary in shape and/or size. You should inspect the actual storage unit to be rented before signing a rental agreement. Your decision to rent should be based on your inspection of the unit and not the advertisement. Monthly rental amounts are not based on square footage measurements. Parking space dimensions are assumed accurate. Customer assumes all responsibility for ensuring their vehicle fits within both length and width of parking space. Vehicles falling in fit completely within the dimensions of the space will be towed.

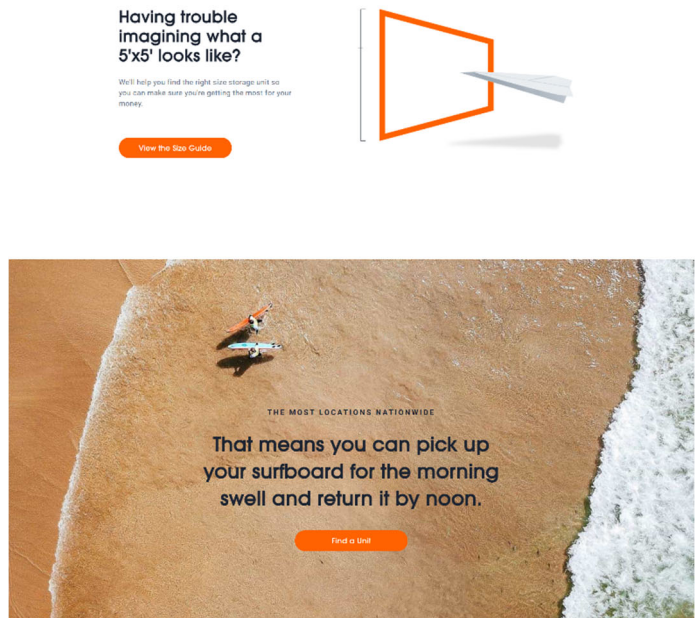
50. The additional webpages shown as part of the lineup (**WEBPAGES C-E**) were selected as distractors and are storage facilities with locations across the United States, as well as in Florida and Ohio. To identify these other companies, I took several steps. First, I conducted online searches of popular self-storage companies, as well as other companies that came up consistently as part of these searches (e.g., SpareFoot), making sure to note the number of locations across the United States, and whether these companies marketed to consumers in either Florida or Ohio. From those identified, I selected brands that had locations in, or marketed to consumers in both Florida and Ohio, as well as across the United States.

51. All respondents in the survey were shown **WEBPAGES C-E**. These, along with **WEBPAGE B** were shown in random order. Images of these additional webpages are shown below in Figures 5-7.

Figure 5. WEBPAGE C (Public Storage Webpage)



(continued)



What's it like to store with us? Ask them.

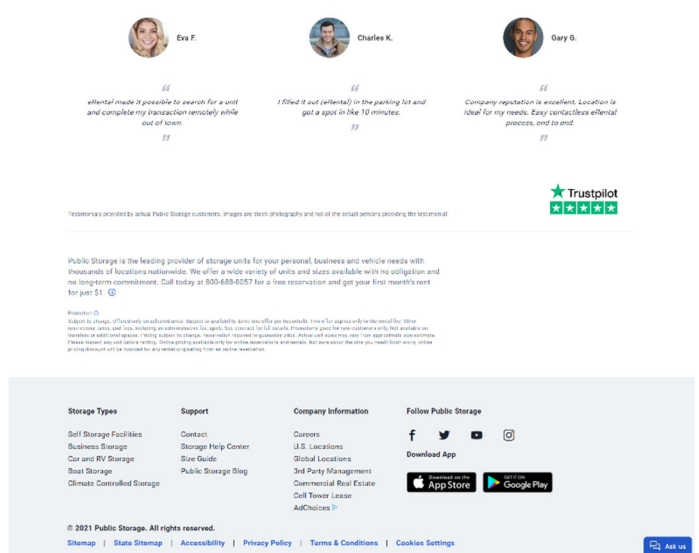
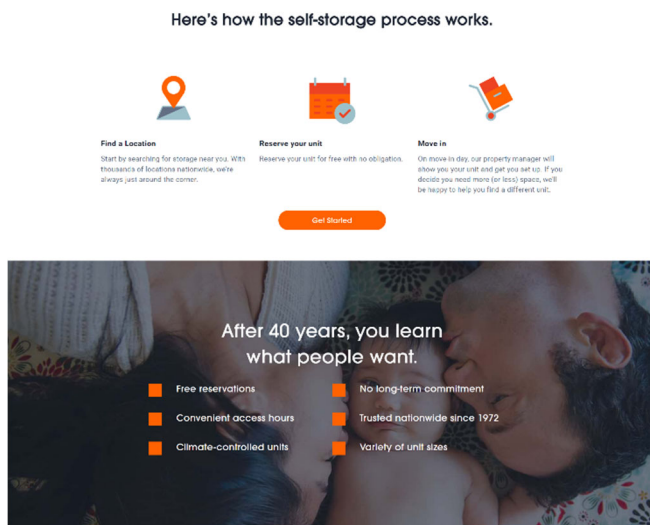


Figure 6. WEBPAGE D (CubeSmart Webpage)

CubeSmart self storage

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Login (800) 665-3663

Rent a Self Storage Unit

Up to 25% Off* Monthly Rent

We're Open: Rent Online. Contact-Free Today.

Locations Near Me or Enter City, State or Zip Search or by Address Search

Rent Online and Move In Contact-Free

1. Find storage that fits your needs
2. Complete your agreement online
3. Get access and move in
4. Download the CubeSmart Mobile App

Our online rental process is quick, convenient and contact-free. We'll be there to help you every step of the way.

[Learn More](#) [Watch Video](#)

Vehicle Storage
Store a car, truck, or RV. Consider vehicle storage - it's a parking lot for your car, truck, or RV. [Find vehicle storage near me.](#)

Climate Controlled
Keep your items safe and dry. Consider climate-controlled storage. [Find climate-controlled storage near me.](#)

Storage Deals
We offer free moving truck, external discounts, military discounts and more. [Find the deal that's right for you.](#)

It's what's *inside* that counts.

Whether it is, it's your stuff and that makes it important. But it's more than just your stuff. At CubeSmart, we're here to make that choice easy. We're passionate about serving our customers and committed to making your self-storage experience the best it can be. The better to help you have peace of mind, which means we'll take care of the details. The details make us so much more than just a storage facility.

With high-quality self-storage facilities, helpful managers, and the highest member ratings in the industry, our goal is to make you feel welcome whenever you visit us. We take pride in making you a part of our storage team. Because it's what counts that counts at CubeSmart.

[Find Closest Facilities](#)

(continued)

Inside the Friendship of Danny & Juan

Our customers are at the heart of everything we do.

Everyone has a story. With over 1,200 locations, we've been lucky to meet more than 1.2 million stories. [Read their stories](#)

Self Storage Tips

Not sure what size storage unit you need? Our unit size guide makes finding the right size storage unit easy. [Find the right storage size.](#)

Frequently Asked Questions
[What is a storage unit?](#)

Self Storage Management

CubeSmart's property management program provides extensive assistance and support. [Learn more](#)

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CubeSmart continues to grow and we're looking for motivated individuals to join our team. [Come work with CubeSmart](#)

The Storage Space Blog

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How to Get the Most Out of Your Storage Unit

STORAGE HOW-TO
How to Choose the Right Size Storage Unit

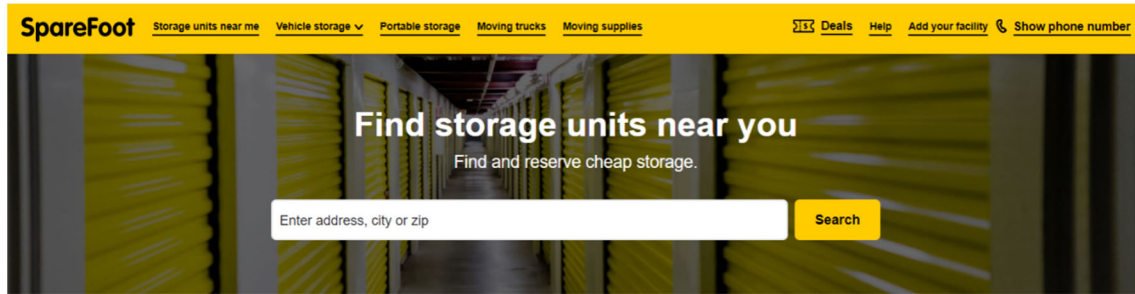
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CubeSmart self storage

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Figure 7. WEBPAGE E (SpareFoot Webpage)



Typical Uses for Self-Storage

Storage companies have become so successful due to the simple fact that there are a large number of uses for storage units. Below we've listed some of the most common.



Moving

Perhaps the most common reason people need storage is a part of a move into a new home or apartment. The process of moving is never fun and the logistics can be difficult and tedious, which is why self-storage offers a stable, safe solution to an otherwise painful process.



Renovating or remodeling

Restoring or refurbishing your home (or a room in your home) can go a long way toward improving your quality of life. In the short term, however, it can be a major source of pain. When remodeling a room, you're often forced to find additional space for your items, which can be quite inconvenient - if you're remodeling your entire home, you won't even have that option available. A storage unit can solve all of that by absorbing all the furniture you're having to relocate.



Downsizing

Relocating into a smaller home has become a trend in recent years, as people either attempt to save on rent, or live in a more desirable location. But this trend presents a problem: How do you fit all those things that once filled a much larger space into a new, smaller home? Though the best way to deal with this is to get rid of the things you don't need, there are some things that can be kept in a

personal storage unit.



College summers

While most college students relish their summer break, they often take a much more ambivalent attitude toward moving home due to the fact that they'll need to move everything out of their dorm. Self-storage can take the headache out of this entire process, allowing students to keep their things near campus during those summer months.

Are you a college student looking for storage? [Sparefoot has you covered](#)



Emergencies

Unfortunately, there are those times where life throws a curveball at us and an unexpected event suddenly disrupts our life. Whether a natural disaster or a death in the family, occasionally these situations call for quick and reliable storage solution, and for many of us self-storage provides exactly that.

How Can I Find Self-Storage Units Near Me?

In the past, the best way to find a storage facility was to either look in the phone book or simply drive around until you found one. Today, the best way to find cheap storage is through an online self-storage marketplace like SpareFoot.

Simply type in your city or zip code in any search bar on our site, and we'll show all the storage locations nearest you, complete with details like price, size, amenities, and reviews from other storage renters. Our facilities also offer exclusive discounts for our customers, like first-month free rent, which means you are getting the best deal available on your storage unit.

(continued on next page)

Choosing Between Different Storage Options



Finding a storage unit near you is only one step in the process. You'll also need to figure out the storage size and type of unit that best suits your needs.

Storage unit amenities

Another important decision you'll have to make is what type of storage amenities you would like to include. There is a wide selection of amenities available but the most common are climate control, 24-hour access, drive-up access, and storage units with electricity.

Climate controlled storage

Climate controlled units keep your belongings cool and dry while protecting them against extreme hot and cold temperatures, as well as humidity. Humidity is of particular danger to organic materials found in furniture and clothing due to the possibility of mold and mildew so take the time to consider if you need this amenity, especially if you live in places that get very hot (like Texas), or very cold (like New York).

24-hour access storage

Some storage facilities allow 24-hour, 7 day-a-week access to their units, meaning you'll be able to access your things whenever necessary. As you might expect, this storage amenity will come at a higher price than basic units, but depending on your needs they may be well worth it.

Note that there is a difference between unit access, which are the actual access hours you're allowed to view your stuff, and facility access which is the time that the storage facility office is open. When selecting this amenity, make sure you choose the right one for your needs.

Drive-up access storage

Drive-up access storage units are housed in a single-story building and are accessible from the outside, allowing you to pull your vehicle right up to the unit in order to load and unload your belongings. These are great for their simple access and have lower prices compared to indoor units, but they often lack the ability to add additional amenities such as climate control.

Alternatively, more modern facilities house all their units inside a single building, meaning you'll have to enter the interior of a building and sometimes even go up an elevator to get to your unit. Though this makes moving in and out with large furniture more difficult, it offers an unbeatable layer of protection from theft and pests, and almost always features climate control.

Storage units with electricity

Storage with electricity just means that your unit will have electrical outlets inside. We often hear people ask "Do storage units have electrical outlets in them?" and while some self-storage facilities do offer units with outlets, most do not. Having this amenity will allow you to plug into the facility's power source but it will cost you extra. If this is a requirement, check with the facility to make sure the unit you're getting has outlets included.

Some other special amenities you might encounter are security features such as 24-hour video surveillance, on-site property managers, or gated facilities with a keypad entry. All of these features will be listed under the "Features/Amenities" section of a facility details page.

FAQ

Still have questions about self-storage? Here are some of the most common questions we get asked.

What type of contract will I be required to sign?

Self-storage contracts will include stipulations about what you can keep in your unit, what the rules about access and usage are like, and perhaps most importantly, [what happens when you're late or delinquent on your payments](#).

What is self-storage insurance and is it required to rent a unit?

Self-storage insurance is a type of insurance specifically for storage units and their contents. Many storage facilities require you to have insurance before renting and may not take responsibility if your items are lost, stolen, or damaged. Before going to the facility, always have proof of insurance by bringing your declaration page when you visit the facility. This will potentially waive the insurance fee which is usually around \$20.

Regardless of whether your facility requires this or not, having insurance is a great way to protect yourself and your belongings while in storage. Better safe than sorry!

Do storage facilities offer insurance?

Yes, some facilities do offer insurance. If you do not have insurance and it's offered at the facility then they will sell you some. Note that you do not have to go with their insurance, it's merely there for convenience. If the price is unreasonable, you can find another insurance provider.

Are storage units covered under homeowners insurance?

If you have standard homeowners or renters insurance, [the policy does cover items that are in storage](#). However, items that are in storage can only be claimed at a certain percentage of your coverage limit. Consult your insurance agent to see how much the items would be covered.

How much does it cost to insure a storage unit?

Usually insurance on a storage unit is fairly cheap, with some insurance policies being as low as \$2 for every \$100 worth of stored items. However, the average price for insurance on self-storage ranges from \$6-\$24 depending on how much coverage you want.

Do storage units have lights?

Storage facilities with indoor units typically only light the hallways and not the individual units themselves. Outdoor facilities occasionally have some lighting around the perimeter but also not inside the units. If you will be visiting your storage unit at night you should bring a flashlight or headlamp to help you see, otherwise we recommend visiting your unit during the day.

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VI. SURVEY RESULTS

52. A total of 413 respondents completed the survey between March 27, 2021 and April 14, 2021. The data are attached as **Exhibit F**. As shown in Table 1 below, respondents were a mix of ages and included both men and women.

Table 1: Age and Gender Breakdown of Survey Population

Age Group	Male		Female		Overall	
	Count	Percent	Count	Percent	Count	Percent
18-34	74	31.1%	61	35.1%	136	32.9%
35-54	117	49.2%	69	39.7%	186	45.0%
55+	47	19.7%	44	25.3%	91	22.0%
Total Respondents	238	100.0%	174	100.0%	413	100.0%

Note: 1. There was one respondent in the 18-34 age range who selected non-binary as their gender.

Source: NERA Storage Facility Survey March-April 2021

53. The sample includes U.S. consumers with an oversample of adults residing in zip codes within a 50-mile radius of the two zip codes (one in Miami, Florida and the other in Central Ohio) where a SpareSpace or Robarco storage facility is located. As shown in Table 2 below, 277 respondents were distributed across the national sample, and an additional 75 and 61 were located near Miami, Florida and Central Ohio, respectively.

Table 2: Region

Region	Count	Percent
<i>National Sample</i>		
Northeast	51	12.3%
Midwest	67	16.2%
South	125	30.3%
West	34	8.2%
<i>Regional Oversample</i>		
Ohio	61	14.8%
Florida	75	18.2%
Total Respondents	413	100.0%

Source: NERA Storage Facility Survey March-April 2021

54. Before showing respondents any of the webpages associated with SpareSpace or Store Space, I asked respondents which features were reasons why they selected, or would select, a particular storage facility. Respondents' open-ended answers indicate things such as price, location, cleanliness, and security matter to consumers. For example, Respondent 377 stated "I selected this particular facility because it was convenient and not expensive to rent and keep my stuff safe" and Respondent 1529 said "Safety and location as well as best overall price." Additionally, Respondent 1182 stated "I would look for the safety aspects of the facility and the location. I would also make sure that it was clean." Only one respondent referenced a "reputable company,"²⁴ and two mentioned either a "named brand" or "brand name,"²⁵ data which suggest that the brand or name is not a primary reason for selecting a self-storage facility.

55. The patterns seen in the open-ended responses are confirmed by the data from the closed-ended question. As shown below in Table 3, the top two reasons for selecting a storage facility were the price of the rental and the location of the storage facility. Size of the storage

²⁴ See respondent 304.

²⁵ See respondents 1036 and 4232.

facility (for current and future renters), and cleanliness of the facility (for future renters), were also among the top features. Price, location, size, cleanliness, and security were all reasons selected by a majority of respondents as reasons for selecting a particular facility. In contrast, only 14.1% of current renters, and 13.2% of future renters, said the name or brand of the facility was a reason to select a storage facility. In fact, of the eleven possible reasons provided in the list, the name/brand of the facility was the second least important, only more important than the color of the storage unit doors. These results demonstrate that for self-service storage facilities, consumers are not focused on the name or brand and instead select a company based on other features such as price and location.

**Table 3: Share of Current and Future Storage Facility Renters
who Selected Facility for the Following Reasons**

	Current Renters		Future Renters	
	Count	Percent	Count	Percent
Price of rental	196	72.9%	125	86.8%
Location of facility	195	72.5%	109	75.7%
Size of storage space offered	183	68.0%	103	71.5%
Cleanliness of facility	152	56.5%	105	72.9%
Facility security	140	52.0%	97	67.4%
Climate controlled storage units	107	39.8%	77	53.5%
No long-term commitment required	94	34.9%	67	46.5%
A discount or special offer	67	24.9%	58	40.3%
Familiarity of facility	64	23.8%	24	16.7%
Name or brand of facility	38	14.1%	19	13.2%
Color of storage unit doors	18	6.7%	7	4.9%
None of these	0	0.0%	1	0.7%
Don't know / unsure	0	0.0%	0	0.0%
Number of Respondents	269		144	

Note: 1. Percentages may not sum to 100% because respondents were able to provide multiple answers.

S12. You may have already mentioned this, but which of the following features are reasons you selected this particular storage facility?

S16. You may have already mentioned this, but which of the following are features that will influence which storage facility you select?

Source: NERA Storage Facility Survey March-April 2021

56. After answering these background questions, respondents were shown the company webpages. When asked whether *any* of the webpages shown were from the same company or brand as SpareSpace, a majority of respondents said “No” or “Don’t Know.”

Table 4: Any Webpage from Same Company or Brand as SpareSpace

Response Option	STUDY 1				STUDY 2			
	Test		Control		Test		Control	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Yes	43	39.1%	33	33.7%	22	22.4%	25	23.4%
No	56	50.9%	50	51.0%	61	62.2%	65	60.7%
Don't know / no opinion	11	10.0%	15	15.3%	15	15.3%	17	15.9%
Total Respondents	110	100.0%	98	100.0%	98	100.0%	107	100.0%

Q3. Do you think any of the storage companies shown in **WEBPAGES B – E** are the same company/brand of storage facility shown in **WEBPAGE A**, the webpage you saw first?

Source: NERA Storage Facility Survey March-April 2021

57. When asked to identify which webpages were the same company or brand as SpareSpace, a net of less than 1% indicated that Store Space was the same company as SpareSpace. These results are shown below in Table 5.

Table 5: Webpage Identified as Same Company or Brand as SpareSpace

Response Option	STUDY 1				Net	STUDY 2				Net
	Test		Control			Test		Control		
	Count	Percent	Count	Percent		Count	Percent	Count	Percent	
STORE SPACE	13	11.8%	11	11.2%	0.6%	13	13.3%	14	13.1%	0.2%
PUBLIC STORAGE	19	17.3%	15	15.3%		5	5.1%	8	7.5%	
CUBESMART	16	14.5%	15	15.3%		9	9.2%	6	5.6%	
SPAREFOOT	11	10.0%	15	15.3%		7	7.1%	8	7.5%	
Total Respondents	110		98			98		107		

Q3a. Please select which company(ies) you think is/are the same company/brand shown in **WEBPAGE A**.

Source: NERA Storage Facility Survey March-April 2021

58. The fact that almost identical rates of respondents in the Test Group and the Control Group believed that Store Space / More Space was the same company as SpareSpace demonstrates that respondents are either guessing or there are reasons other than the at-issue marks causing respondents to associate the webpages. A review of the open-ended data confirm that the associations observed are survey “noise,” or are unrelated to the marks. For example, when responding to why they believed Store Space was the same company or brand as

SpareSpace, respondents said things like the colors or fonts used for the webpages were similar, the pictures of the storage units themselves looked similar, or because the companies offered the same services. Respondent 2902 said, “they both were touchless rentals and they both had multiple choices for storage facilities,” and Respondent 1246 said, “the blue color and layout of the website are reminiscent of WebPage A.” These examples demonstrate that, to the extent that respondents believed Store Space was the same company as SpareSpace, this belief was driven by aspects of the stimuli other than the marks or company names.

59. When asked whether any of the webpages shown were associated or affiliated with the same company or brand as SpareSpace, again the majority of consumers said “No” or “Don’t Know.” These results can be found below in Table 6.

Table 6: Any Webpage Associated or Affiliated with SpareSpace

Response Option	STUDY 1				STUDY 2			
	Test		Control		Test		Control	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Yes	33	30.0%	31	31.6%	33	33.7%	30	28.0%
No	46	41.8%	49	50.0%	40	40.8%	52	48.6%
Don’t know / no opinion	31	28.2%	18	18.4%	25	25.5%	25	23.4%
Total Respondents	110	100.0%	98	100.0%	98	100.0%	107	100.0%

*Q4. Do you think any of the storage companies shown in **WEBPAGES B-E** are associated or affiliated with the company/brand of storage facility shown in **WEBPAGE A**, the webpage you saw first?*

Source: NERA Storage Facility Survey March-April 2021

60. When asked to identify which webpages were associated or affiliated with SpareSpace, only 7.3% of respondents in Study 1 and 7.1% of respondents in Study 2 of the Test Groups selected the Store Space webpage. As shown below in Table 7, respondents were more likely to believe that Public Storage or CubeSmart storage companies were associated or affiliated with SpareSpace rather than Store Space. When accounting for guessing or confusion unrelated to the marks, the actual percentage of consumers indicating that Store Space is associated or

affiliated with SpareSpace is negative for both studies. The negative net percentage indicates that any belief that Store Space is associated or affiliated with SpareSpace is attributed to survey “noise.” When asked why they believe Store Space is associated or affiliated with SpareSpace, consumers gave answers that referenced the similar colors or layout of the webpages, or similar services offered. For example, Respondent 623 stated, “They all use the same orange and blue colors” and Respondent 897 said “the picture of the storage facility look [sic] the same.”

Table 7: Webpages Identified as Being Associated or Affiliated with SpareSpace

Response Option	STUDY 1					STUDY 2				
	Test		Control		Net	Test		Control		Net
	Count	Percent	Count	Percent		Count	Percent	Count	Percent	
STORE SPACE	8	7.3%	8	8.2%	-0.9%	7	7.1%	10	9.3%	-2.2%
PUBLIC STORAGE	13	11.8%	15	15.3%		13	13.3%	8	7.5%	
CUBESMART	15	13.6%	10	10.2%		12	12.2%	8	7.5%	
SPAREFOOT	7	6.4%	14	14.3%		11	11.2%	14	13.1%	
Total Respondents	110		98			98		107		

*Q4a. Please select which company(ies) you think is/are associated or affiliated with company/brand shown in **WEBPAGE A**.*

Source: NERA Storage Facility Survey March-April 2021

61. When asked whether *any* of the webpages shown are licensed by or received approval from the same company or brand as SpareSpace, more than two-thirds of consumers indicated “No” or “Don’t Know.” These results are shown below in Table 8.

Table 8: Any Webpage that is Licensed by or Received Approval from SpareSpace

Response Option	STUDY 1				STUDY 2			
	Test		Control		Test		Control	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Yes	30	27.3%	26	26.5%	26	26.5%	29	27.1%
No	42	38.2%	43	43.9%	41	41.8%	45	42.1%
Don't know / no opinion	38	34.5%	29	29.6%	31	31.6%	33	30.8%
Total Respondents	110	100.0%	98	100.0%	98	100.0%	107	100.0%

*Q5. Do you think any of the storage companies shown in **WEBPAGES B-E** are licensed by or received approval from the company/brand of storage facility shown in **WEBPAGE A**, the webpage you saw first?*

Source: NERA Storage Facility Survey March-April 2021

62. When asked to identify which company is licensed by or received approval from SpareSpace, 11.8% of respondents in Study 1 and 11.2% of respondents in Study 2 of the Test Groups selected the Store Space webpage. When I use the Control Group percentages to account for survey noise, the actual percentage of consumers indicating that Store Space is licensed by or received approval from SpareSpace is 2.6% in Study 1 and -3.7% in Study 2. These results are shown below in Table 9. When asked why they believe Store Space is licensed by or received approval from SpareSpace, consumers again reference aspects of the webpage layout, information, or colors. For example, Respondent 3388 stated, “They have the same legal jargon on the bottom of their page” and Respondent 2954 stated, “The layout design and colors” and Respondent 370 stated, “It has a very similar style to the previous webpage that I saw.”

Table 9: Webpages Identified as Being Licensed by or Receiving Approval from SpareSpace

Response Option	STUDY 1					STUDY 2				
	Test		Control		Net	Test		Control		Net
	Count	Percent	Count	Percent		Count	Percent	Count	Percent	
STORE SPACE	13	11.8%	9	9.2%	2.6%	11	11.2%	16	15.0%	-3.7%
PUBLIC STORAGE	15	13.6%	8	8.2%		11	11.2%	11	10.3%	
CUBESMART	11	10.0%	5	5.1%		7	7.1%	7	6.5%	
SPAREFOOT	9	8.2%	10	10.2%		10	10.2%	14	13.1%	
Total Respondents	110	100.0%	98	100.0%		98		107		

*Q5a. Please select which company(ies) you think is/are licensed by or received approval from the company/brand shown in **WEBPAGE A**.*

Source: NERA Storage Facility Survey March-April 2021

63. To estimate overall confusion, I tabulate the number of unique mentions of Store Space (or More Space for the Control Group) across the source, association/affiliation, and licensed/approval questions. In this way, if a respondent selected Store Space as associated with SpareSpace in more than one question, she was only counted once. As shown below in Table 10, a total of 22.7% of Test Group respondents in Study 1, and 26.5% of Test Group respondents in Study 2 believed Store Space was the same company as, affiliated/associated with, or was licensed/approved by SpareSpace. In Study 1, consumers were more likely to associate Public Storage (30.9%) and CubeSmart (31.8%) with SpareSpace than they were to associate Store Space with SpareSpace. When adjusting for survey noise or other factors unrelated to the marks at issue, the net confusion is 7.4% for Study 1 and 0.4% for Study 2.

Table 10: Overall Confusion Estimate

Response Option	STUDY 1					STUDY 2				
	Test		Control		Net	Test		Control		Net
	Count	Percent	Count	Percent		Count	Percent	Count	Percent	
STORE SPACE	25	22.7%	15	15.3%	7.4%	26	26.5%	28	26.2%	0.4%
PUBLIC STORAGE	34	30.9%	26	26.5%		22	22.4%	19	17.8%	
CUBESMART	35	31.8%	23	23.5%		21	21.4%	17	15.9%	
SPAREFOOT	20	18.2%	27	27.6%		21	21.4%	24	22.4%	
Total Respondents	110		98			98		107		

Q3a. Please select which company(ies) you think is/are the same company/brand shown in **WEBPAGE A**.

Q4a. Please select which company(ies) you think is/are associated or affiliated with company/brand shown in **WEBPAGE A**.

Q5a. Please select which company(ies) you think is/are licensed by or received approval from the company/brand shown in **WEBPAGE A**.

Source: NERA Storage Facility Survey March-April 2021

64. Overall, these results demonstrate the Store Space marks do not cause consumers to believe that Store Space is the same company, is associated with, or was licensed by or received approval from SpareSpace.

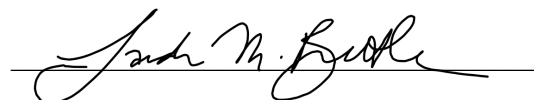
VII. CONCLUSIONS

65. I conducted a survey to determine whether consumers would confuse Store Space with SpareSpace. Even though I understand that SpareSpace does not currently have facilities near Store Space locations, I presented survey respondents with an opportunity to view both companies and the at-issue marks proximately. This survey format can yield higher rates of association because the presentation of the parties within the survey may suggest to respondents that there is a likely connection between the products or stimuli being shown.²⁶ Due to the potentially suggestive nature of the survey format, the results here represent the maximum amount of potential confusion that could occur and these data show there is no confusion likely. My survey demonstrates that there is no likelihood of confusion – the net estimated confusion is

²⁶ Swann, J. B. (2012). “Likelihood of Confusion,” *Trademark and Deceptive Advertising Surveys: Law, Science and Design*, edited by Shari Seidman Diamond and Jerre B. Swann; Chicago, IL: American Bar Association, pp. 64-69.

less than 10% and the rates are not statistically significant; *i.e.* respondents in the Control Group who are shown the Store Space website without the mark are just as likely to guess that there is some association with SpareSpace. Moreover, only four respondents make any reference to a similarity in names when describing why they associated SpareSpace and Store Space. Additionally, respondents are more likely to believe there is a connection between SpareSpace and Public Storage than they are to associate SpareSpace and Store Space. Finally, my results demonstrate that less than 15% of current and future self-storage renters indicate that the name of a storage facility is important to them when selecting a storage company. Taken together, the survey results demonstrate that consumers will not confuse Store Space and SpareSpace storage facilities.

66. My opinions and conclusions as expressed in this report are to a reasonable degree of professional and scientific certainty. My conclusions have been reached through the proper application of survey methods and using standard methodologies relied upon by experts in the field of survey and market and consumer research. My work is ongoing, and my opinions will continue to be informed by any additional material that becomes available to me. I reserve the right to update and or supplement my opinions if additional information is provided to me. I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Sarah M. Butler", is written over a horizontal line.

Sarah Butler, Managing Director

June 3, 2021